

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

CHRISTOPHER PREISS,

Plaintiff,

v.

BNSF RAILWAY COMPANY,

Defendant.

CASE NO. 2:23-cv-01476-TL

MINUTE ORDER

The following Minute Order is made at the direction of the Court, the Honorable Tana Lin, United States District Judge:

(1) On December 15, 2023, Plaintiff filed a Stipulated Motion for Leave to Amend Complaint. Dkt. No. 11. The purportedly stipulated motion is signed only by Plaintiff's counsel and seeks Court action expressly granting leave to amend.

(2) Pursuant to Federal Rule of Civil Procedure 15(a)(2), the Court's leave is not required if Defendant consents in writing to Plaintiff's proposed amendments. Thus, it is unclear if Plaintiff is seeking leave to amend without Defendant's written consent,

1 and if so, how such a request may be qualified as stipulated. The Court therefore
2 STRIKES the deficient stipulated motion without prejudice.

3 (3) If Plaintiff has conferred with Defendant and received written consent to amend the
4 complaint, Plaintiff may file proof of the written consent and amend without the
5 Court's leave. If Defendant is unwilling to provide written consent to file the
6 proposed amended complaint, Plaintiff may refile an appropriately noted opposed
7 motion for leave to amend.

8 Dated this 19th day of December 2023.

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10 Ravi Subramanian
Clerk of the Court

11 s/ Kadya Peter
12 Deputy Clerk
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